

REMARKS

Applicants respectfully request further examination and consideration in view of the above amendments and the arguments set forth fully below. Claims 1-26 were previously pending in this application. Within the Office Action, Claims 1-26 have been rejected. By the above amendments, Claims 1, 18 and 23 have been amended to correct minor typographical errors. No claims are added and no claims are canceled. Accordingly, Claims 1-26 are currently pending.

10 **Objection to the Drawings**

Within the Office Action, the drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "130 & 150" and "140 & 160" have been used to designate vertical and horizontal orientations of the two-dimensional navigation key. Applicants respectfully traverse. During a telephone conference on February 24, 2006, the Examiner suggested that amendments be made to the specification for uniformity of the reference characters. Amendments were made to the specification, such that the use of the reference characters in the specification are consistent throughout the description and also correspond with the current drawings. Applicants respectfully submit that this objection should be withdrawn.

20 **Objection to the Specification**

Within the Office Action, it is stated that the disclosure is objected due to the informalities that the use of first and second orientation does not appear to be consistent throughout the specification. The specification has been amended to address these informalities. Applicants note that the text in lines 26-27, page 9 and lines 1-2, page 10 can now found in the last full paragraph starting on page 8, with minor modifications. Support for this amendment can also be found in page 13, lines 8-15. No new matter has been added. Applicants respectfully request that the objection to the specification be withdrawn.

Rejections Under 35 U.S.C. § 102

30 Claims 1-5 and 7-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by Smethers, U.S. Patent No. 6,463,304 B2 (hereinafter "Smethers"). Applicants respectfully traverse this rejection.

Claims 2-5 and 7-17 are dependent upon the independent Claim 1. Claim 1 is directed to a menu-driven electronic device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu and a sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item.

Smethers does not teach, suggest, or disclose all of the limitations of Claim 1, namely, the limitation of “a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item.” For this limitation in Claim 1, the Office Action cites to Figure 1, element 112, column 4, lines 19-42, Figure 3, and column 8, lines 10-15 of Smethers.

Applicants respectfully disagree. Smethers requires the pressing of other keys outside the navigation keys (112 of Fig. 1) in order to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item.

In Smethers, the navigation key cannot select a main menu item and a sub-menu item with a two-dimensional navigation key. Instead, Smethers requires the pressing of a pre-assigned key 528 (rocker input step of Fig. 5) in order to obtain a different launch pad (that is, to reassign the navigation keys with a different set of resident applications). Smethers states that pressing the pre-assigned key 528 (Fig. 5) can mean pressing the ROCKER key (element 110 of Fig. 1) or pressing any button on the keypad of the device (element 116 of Fig. 1) [col. 8, lines 6-34]. Then, in Smethers, a user must first press the pre-assigned key 528, and then press one of the navigation keys, to select a main menu item and a sub-menu item. [col. 8, lines 6-34]

In contrast, the present invention allows for both a main menu item and a sub-menu item to be selected using a two-dimensional navigation key. The present invention does not require a sequence of keystrokes using a plurality of keys. Further, the present invention allows for the selection of the main menu and the sub-menu item using simply the two-dimensional navigation key, and no other key outside the two-dimensional navigation key is required. Instead, the present invention eliminates the requirement of keystrokes from multiple keys to access a menu item. [page 2, lines 22-28]

For at least these reasons, the independent Claim 1 is in condition for allowance. Claims 2-5 and 7-17 are dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over Smethers. Accordingly, Claims 2-5 and 7-17 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Claims 19-20 are dependent upon the independent Claim 18. Claim 18 is directed to a menu-driven wireless telecommunications device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu and a sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item, wherein the device displays a plurality of sub-menu items. As discussed in greater detail above, Smethers does not teach, suggest, or disclose the limitation “a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item.”

For at least these reasons, the independent Claim 18 is in condition for allowance. Claims 19-20 are dependent upon the independent Claim 18. As discussed above, the independent Claim 18 is allowable over Smethers. Accordingly, Claims 19-20 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

15 **Rejection Under 35 U.S.C. § 103**

Claims 6 and 21-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smethers in view of U.S. Patent Application Publication No. 2003/0064757 to Yamadera et al. (hereinafter “Yamadera”). The Office Action admits that Smethers does not teach displaying a second sub-menu or that the two-dimensional navigation key is configured to select a second sub-menu item of the second sub-menu associated with the selected main menu item. The Office Action claims that Yamadera teaches a method of displaying and selecting multiple sub-menus using a navigation key 4 that can move in four directions. The Office Action concludes that it would have been obvious to one of ordinary skill in the art that Smethers would include additional submenus as taught by Yamadera because additional submenus allow a user to select more specific actions. Applicants respectfully disagree.

Claim 6 depends upon the independent Claim 1. As discussed in the previous section, the independent Claim 1 is allowable over the teachings of Smethers. Further, as to Claim 1, Smethers, Yamadera, and their combination fail to teach, suggest or disclose the limitation “a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item.”

Yamadera requires that the user must first highlight a submenu [e.g., step 306 of FIG. 4] and then the user must press the cursor key [e.g., step 307 of Fig. 4] to actually select the

submenu. Further, Yamadera requires at least two separate presses of the navigation key to select the main menu item and the sub-menu item [e.g., steps 300 and 306 of FIG. 4] Smethers requires at least one press of the navigation keys plus at least one press of a key outside of the navigation keys in order to access the main menu and the sub-menu. [col. 8, lines 6-34]

5 In contrast, the present invention teaches that a main menu item and a sub-menu item can be selected using the two-dimensional navigation key in one single access of the navigation key. [Specification, page 6, lines 17-18] The present invention does not require a highlighting or a confirmation in order to select a main menu item and a sub-menu item.

10 For at least these reasons, the independent Claim 1 is in condition for allowance. Claim 6 is dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over Smethers in view of Yamadera. Accordingly, Claim 6 is allowable as being dependent upon an allowable base claim, and is now in condition for allowance.

15 Claims 21-22 depend upon the independent Claim 18. Claim 18 is directed to a menu-driven wireless telecommunications device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu and a sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item, wherein the device displays a plurality of sub-menu items.” As discussed previously, Smethers, Yamadera, and their combination fail to teach, suggest, or disclose the limitation “a 20 two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item.”

25 For at least these reasons, the independent Claim 18 is in condition for allowance. Claims 21-22 are dependent upon the independent Claim 18. As discussed above, the independent Claim 18 is allowable over Smethers in view of Yamadera. Accordingly, Claims 21-22 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

30 Claims 24-26 depend upon the independent Claim 23. Claim 23 is directed to a menu-driven wireless telecommunications device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu, a first sub-menu, and a second sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu, to select a first sub-menu item of the first sub-menu associated with a selected main menu item, and further to select a second sub-menu item of the second sub-

menu associated with the selected main menu item. As discussed previously, Smethers, Yamadera, and their combination fail to teach, suggest, or disclose the limitation "a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu, to select a first sub-menu item of the first sub-menu associated with a selected main menu item, and further to select a second sub-menu item of the second sub-menu associated with the selected main menu item."

For at least these reasons, the independent Claim 23 is in condition for allowance. Claims 24-26 are dependent upon the independent Claim 23. As discussed above, the independent Claim 23 is allowable over Smethers in view of Yamadera. Accordingly, Claims 10 24-26 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Conclusion

For the reasons given above, Applicant respectfully submit that the Claims 1-26 are in a 15 condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

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Respectfully submitted,
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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

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